



REGISTRAR OF REGULATIONS
06 MAY -2 PM 2:10

COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 001A-036, UPPER MACHODOC CREEK

EFFECTIVE 15 MAY 2006

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20 and §9-6.14:4.1, B.16 of the *Code of Virginia*:


1. The "Notice and Description of Shellfish Area Condemnation Number 001A-036, Upper Machodoc Creek," effective 10 May 2005, is cancelled effective 15 May 2006.
2. The shellfish condemnation area Number 001A-036, shown as Sections A through G, is established, effective 15 May 2006. As to Sections A, B, C, D, and E; it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Sections F and G, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose. The boundaries of these areas are shown on the map titled "Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 15 May 2006" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 001A-036

- A. The condemned area shall include that portion of Upper Machodoc and Gambo Creeks and the Potomac River inshore of a line drawn from latitude/longitude map coordinate (38°19'56.9", -77°00'54.4"), southwesterly along the Virginia-Maryland boundary to map coordinate (38°19'01.5", -77°01'35.6"), to map coordinate (38°19'03.9", -77°01'53.4"), and on to map coordinate (38°19'18.6", -77°01'29.7").
- B. The condemned area shall include that portion of Upper Machodoc Creek inshore of a line drawn from latitude/longitude map coordinate (38°19'07.8", -77°01'54.6"), to map coordinate (38°19'03.9", -77°01'53.4"), and on to map coordinate (38°19'07.6", -77°02'20.7").

- C. The condemned area shall include all of Williams Creek and it's tributaries and that portion of Upper Machodoc Creek lying upstream of a line drawn from latitude/longitude map coordinate (38°19'12.1",-77°02'24.9") to map coordinate (38°19'14.9",-77°03'24.0"), but excluding the area defined as Section G.
- D. The condemned area shall include that portion of Deep Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°19'18.8",-77°03'38.0") to map coordinate (38°19'15.5",-77°03'47.5").
- E. The condemned area shall include that portion of Upper Machodoc Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°18'38.7",-77°04'00.9") to map coordinate (38°18'33.9",-77°03'54.5").
- F. The condemned area shall include that portion of the Potomac River inshore of a line drawn from latitude/longitude map coordinate (38°19'18.6",-77°01'29.7") to map coordinate (38°19'03.9",-77°01'53.4"), to map coordinate (38°19'07.8",-77°01'54.6").
- G. The condemned area shall include that portion of Williams Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (38°20'22.2",-77°03'32.4") to map coordinate (38°20'22.1",-77°03'33.6").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

05/01/2006

Date



VDH VIRGINIA
DEPARTMENT
OF HEALTH
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